

PATENT
Attorney Docket No. 0945-0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Walter G. Madden et al.

Serial No: 10/811,004

Filed: March 26, 2004

Art Unit: 3643

Examiner:

For: MODULAR HOUSING FOR CATS)

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Christine A. Barglik
August 4, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF JAMES STACEY COX

1. I am one of the inventors for the above-identified patent application, which is directed to a modular housing assembly for cats. The application has a filing date March 26, 2004.

2. More than one year prior to the filing date of the application, my co-inventor, Walter Madden, and I displayed a modular pet housing at the APPMA Pet Products Show in Chicago, Illinois. The date of the show was June 12, 2002. The modular housing displayed was the "prototype" referred to in the first paragraph of the provisional application, serial number 60/394,551, that was filed by Mr. Madden and myself on July 10, 2002. A copy of the

provisional application is attached hereto as Exhibit 1. A photograph showing the display is attached hereto as Exhibit 2.

3. In contrast to the modular housing that is the subject of the above-referenced application, the prototype was not collapsible. The separate modules were made of separate pieces of wood, which were secured together by brackets. A carpeting cover was applied and holes were made in the top and bottom surfaces of the housing for receiving elongated dowels that simply maintained the alignment of one housing module with another.

Respectfully submitted,


James Stacey Cox